

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

<b>PENNY LOVINGS-GRAHAM,</b>	)	
	)	
<b>Plaintiff,</b>	)	<b>8:05CV135</b>
	)	
<b>vs.</b>	)	<b>ORDER</b>
	)	
<b>QWEST DISABILITY PLAN, et al.,</b>	)	
	)	
<b>Defendants.</b>	)	

Upon notice of settlement given to the magistrate judge on November 21, 2005, by Thomas M. Affolter, counsel for the defendants,

**IT IS ORDERED that:**

1. The parties shall file a joint stipulation for dismissal (or other dispositive stipulation) with the clerk of the court which will fully dispose of the case **on or before December 12, 2005**. If the case is being dismissed, the stipulation shall comply with Fed. R. Civ. P. 41(a)(1)(ii) and shall state whether the dismissal is with or without prejudice.
2. Absent compliance with this order, this case (including all counterclaims and the like) may be dismissed without further notice in accordance with NECivR 68.1.
3. The pretrial conference and trial previously scheduled are cancelled upon the representation that this case is settled.
4. The plaintiff's motion to compel (Filing No. 29) is denied, as moot, upon the representation that this case is settled.

DATED this 21st day of November, 2005.

BY THE COURT:

s/ Thomas D. Thalken  
United States Magistrate Judge